

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

OMEGA, S.A., and THE SWATCH
GROUP, INC.,

Plaintiffs,

v.

GIFTLAND CO. d/b/a
REPLICALAND.COM, MICHAEL
SADVAKASSOV, also known as
MIRZAKHMET G.
SADVAKASSOV, JENNIFER
COLEMAN, SUEG TING, also
known as SEUN TIENG, ROGER
MCGEE, REPLICALORD.COM,
JOHN DOES 1-10, JANE DOES 1-10,
UNKNOWN ENTITIES 1-10,
VOLODYMYR PIVEN, DAVID
DRUCKMAN, and PIOTR
KUKHARAU,

Defendants.

03-CV-5808 (WJM)

ORDER AND JUDGMENT

THIS MATTER comes before the Court on Plaintiffs' motion for a permanent injunction, statutory damages, and the release of frozen assets; and for the reasons stated in the accompanying Opinion; and for good cause appearing;

IT IS on this 7th day of May 2009, hereby

ORDERED that Plaintiffs' motion is **GRANTED**; and it is

FURTHER ORDERED that Defendant Volodymyr Piven, his agents, employees, affiliates, and any business entities and/or persons controlled directly or indirectly by him or acting on his behalf or in concert with him, are hereby permanently enjoined and

restrained from the sale, transfer, advertisement (including online advertisement via the Internet), movement and/or offer for sale, modification, manufacture, and distribution of replica, counterfeit, novelty, or imitation watches and/or the rendering of any assistance whatsoever in the sale, transfer, advertisement, movement, modification, manufacture, or distribution of such watches, with such watches bearing the following Plaintiffs OMEGA trademarks, or colorably resembling the marks contained in, the following United States Trademark Registrations:

OMEGA (& Design)	Registration No. 25,036
OMEGA	Registration No. 566,370
OMEGA (& Design)	Registration No. 577,415
OMEGA (& Design)	Registration No. 1,290,661
OMEGA CONSTELLATION	Registration No. 1,223,349
OMEGA SPEEDMASTER	Registration No. 672,487
OMEGA SEAMASTER	Registration No. 556,602

or any other marks or symbols and any spelling, phonetic, or other equivalent thereof, whether used alone, in typed form, or in conjunction with a design and/or stylized element which utilize, in whole or in part, the Plaintiffs' marks, or are confusingly or deceptively similar to, or colorably imitative of Plaintiffs' marks; and it is

FURTHER ORDERED that judgment is entered for Plaintiffs and against Defendant Volodymyr Piven for statutory damages, pursuant to 15 U.S.C. § 1117(c)(2) in the amount of \$80,000; and it is

FURTHER ORDERED that the two frozen accounts totaling \$2,914.79 and \$79.33, maintained by Fleet National Bank, 5701 Horatio Street, Utica, New York, 13502 in the name of Defendant Volodymyr Piven, *see* Pls.' Mot. Ex. A, shall be forthwith released to Plaintiffs in partial satisfaction of this Order and Judgment.

/s/ William J. Martini
WILLIAM J. MARTINI, U.S.D.J.